

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 6/9/2023

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CHICAGO BRIDGE & IRON COMPANY N.V. :
AND CB&I UK LIMITED, :
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Petitioners, :
:
:
-v- :
:
REFINERÍA DE CARTAGENA S.A.S., :
:
Respondent. :
X

1:23-cv-4825-GHW

ORDER

GREGORY H. WOODS, United States District Judge:

On June 8, 2023, Petitioners filed two separate motions to seal temporarily filings in the case. Dkt. No. 3 (“First Motion to Seal”), Dkt. No. 11 (“Second Motion to Seal”). The First Motion to Seal requested that the Court provisionally seal all of Petitioners’ filings in the case, including the petition filed at Dkt. No. 1 (the “Petition”). The Second Motion to Seal requested that the Court provisionally seal Petitioners’ memorandum of law and supporting documents, but not the Petition. While styled as an “Amended” motion, Petitioners did not withdraw the First Motion to Seal when filing the Second; two motions remain pending before the Court.

The First Motion to Seal is denied. The Court will not seal the Petition in whole or in part. That document was not originally filed under seal.¹ By filing the Petition in the manner that they did, Petitioners made the document available to the public. It is now a public document. *See, e.g.*, Ali Sullivan, Law360 “Contractors Want \$1B Award in Refinery Row Tossed,” <https://www.law360.com/articles/1686625/contractors-want-1b-award-in-refinery-row-tossed> (last visited June 9, 2023). Given that the document has been disclosed to the public, there is no

¹ Given that they appear to have wished initially to file the Petition under seal as well, counsel for Petitioners may wish to better familiarize themselves with the District’s ECF Filing Rules, in particular Rule 6.14.

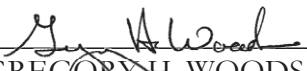
justification for the Court to permit it to be filed under seal even on a provisional basis.

Having considered the arguments presented in connection with the Second Motion to Seal, the motion to seal provisionally Petitioners' memorandum of law, Dkt. No. 6, and the declaration of Stephen B. Shapiro and its exhibits, Dkt. No. 15, is granted to permit Respondent to request redactions to any of those documents. Any such application must be made in accordance with the Court's Individual Rules of Practice in Civil Cases. Those documents may remain under seal until June 20, 2023 and will be unsealed in their entirety on that date barring further application by Respondent.

The Clerk of Court is directed to terminate the motions pending at Dkt. Nos. 3 and 11.

SO ORDERED.

Dated: June 9, 2023
New York, New York



GREGORY H. WOODS
United States District Judge